

Attorney or Party Name, Address, Telephone & FAX Numbers and California State Bar Number LAW OFFICE OF PATRICK K. McCLELLAN Patrick K. McClellan #77352 2600 Michelson Drive, Ste 700 Irvine, CA 92612 (949)261-7615	<div style="text-align: center;"> <p>FILED</p> <p>FEB 26 2008</p> <p>U.S. BANKRUPTCY COURT CENTRAL DISTRICT OF CALIFORNIA Deputy Clerk</p> </div>	FOR COURT USE ONLY
<div style="text-align: center;"> <p>UNITED STATES BANKRUPTCY COURT</p> <p>CENTRAL DISTRICT OF CALIFORNIA</p> </div>		CASE NO.: LA05-43980-AA
In re: SHANEL STASZ	Debtor(s).	

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FEB 26 2008

U.S. BANKRUPTCY COURT
DISTRICT OF CALIFORNIA
Deputy:

UNITED STATES BANKRUPTCY COURT
CENTRAL DISTRICT OF CALIFORNIA

In re: SHANEL STASZ

CASE NO.: LA05-43980-AA

Debtor(s).

NOTICE OF SALE OF ESTATE PROPERTY

Time: 10:30 am

Type of Sale: ☒ Public ☐ Private Last date to file objections: 3/4/08

Terms and Conditions of Sale: All cash within fifteen (15) days of entry of order confirming the sale. Sale is "As is" without any representations or warranties whatsoever. See attached Amended Notice for details.

If property is to be sold free and clear of liens or other interests, list date, time and location of hearing:

Rosendo Gonzalez, Chapter 7 Trustee

Date: 2/25/08

1 LAW OFFICES OF PATRICK K. McCLELLAN
2 PATRICK K. MCCLELLAN #077352
3 2600 Michelson Drive, Suite 700
4 Irvine, CA 92612
5 Telephone (949)261-7615
6 Facsimile (949)851-2772
7 Attorney for ROSENDO GONZALEZ, Chapter 7 Trustee

8
9 UNITED STATES BANKRUPTCY COURT

10 CENTRAL DISTRICT OF CALIFORNIA

11 In re

12) Case No. LA05-43980-AA

13) Chapter 7

14) **AMENDED NOTICE OF MOTION FOR ORDER**

15) **(1) AUTHORIZING SALE OF ESTATE'S**
16) **RIGHT, TITLE AND INTEREST IN REAL**
17) **PROPERTY FREE AND CLEAR OF LIENS;**

18) **(2) APPROVING OVERBID PROCEDURE;**

19) **(3) APPROVING PAYMENT OF**

20) **COMMISSIONS, LIENS AND CUSTOMARY**
21) **CLOSING COSTS; AND**

22) **(4) FINDING PURCHASER IS A GOOD**

23) **FAITH PURCHASER; MEMORANDUM**

24) **OF POINTS AND AUTHORITIES; AND**

25) **DECLARATIONS IN SUPPORT THEREOF**

26) [1131 Alta Loma Road, Unit 432, West
27) Hollywood, California, 90069; Assessor's
28) Parcel No. 5559-001-1246]

[11 U.S.C. §§ 363(f) and (m); FRBP Rule 6004]

Date: March 19, 2008

Time: 10:30 a.m.

Ctrm: 1375

Debtor.

24 **TO THE HONORABLE ALAN M. AHART, UNITED STATES BANKRUPTCY**

25 **JUDGE AND ALL OTHER INTERESTED PARTIES:**

26 NOTICE IS HEREBY GIVEN, that on March 19, 2008 at 10:30 a.m. in Courtroom
27 1375 of the above entitled court, located at 255 Temple Street, Los Angeles, CA, ROSENDO
28 GONZALEZ, Chapter 7 Trustee in the above-captioned case (hereinafter "Trustee"), will and hereby

1 does move this court for an for an order (1) authorizing the Trustee to sell the estate's right, title, and
2 interest in the real property located at 1131 Alta Loma Road, Unit 432, W. Hollywood, California,
3 together with all appurtenances thereto, Assessor's Parcel No. 5559-001-1246 (the "Property") free
4 and clear of liens to Alison Claire Genis for the price of \$450,000; (2) approving the overbid
5 procedure set forth in the motion; (3) approving the payment of the real property taxes, real estate
6 brokers' commissions and customary closing costs; and (4) finding that the Purchaser is a good faith
7 Purchaser pursuant to 11 U.S.C. § 363(m) (the "Motion").

8 The Trustee received an offer to purchase the Property from Alison Claire Genis (the
9 "Purchaser") for \$450,000 (the "Purchase Price"). This Motion is brought to authorize the sale of
10 the Property to the Purchaser free and clear of liens. Furthermore, the Trustee moves the Court for
11 an order authorizing the following overbid procedures: (1) any person interested in submitting an
12 overbid on the Property must attend the hearing on the Motion or be represented by an individual
13 with authority to participate in the overbid process; (2) an overbid will be defined as an initial
14 overbid of \$2,500 above the Purchase Price, with each additional bid in \$1,000 increments; (3)
15 overbidders (except for the Purchaser) must supply a deposit at the hearing, by way of cashier's
16 check made payable to "Rosendo Gonzalez, Chapter 7 Trustee," in the amount of \$13,500 (i.e., 3%
17 of the proposed Purchase Price), (the "Deposit"); (4) the successful overbidder must pay the full
18 amount of the successful overbid within 15 calendar days after entry of the order confirming the sale,
19 or the Deposit will be nonrefundable; (5) in the event the successful overbidder fails to close escrow
20 on the sale of the Property within 15 calendar days after entry of the order confirming the sale, then
21 the Trustee shall be authorized to accept the offer made by the next highest bidder; and (6) all
22 overbidders must acknowledge that they are purchasing the Property "as is," without any
23 representations or warranties of any kind by the Trustee.

24 The Motion is based on this Notice, the Memorandum of Points and Authorities and
25 Declarations of Rosendo Gonzalez and William Friedman filed with the Motion, all court documents,
26 and such further evidence as may be presented at the hearing. If you would like a copy of the Motion
27 and the supporting papers filed therewith, you may obtain one by contacting the undersigned, or by
28 contacting the Clerk of the United States Bankruptcy Court, at 255 E. Temple Street, 9th Floor, Los
Angeles, CA 90012.

PLEASE TAKE FURTHER NOTICE that if you object to the Motion, you must file
a written opposition conforming to Local Bankruptcy Rule 9013-1(1)(g) with the United States
Bankruptcy Court at 255 E. Temple Street, Ninth Floor, Los Angeles, CA 90012, and serve a copy
on the Office of the United States Trustee, at 725 S. Figueroa Street, 26th Floor, Los Angeles, CA
90017, on the Trustee, ROSENDO GONZALEZ, Esq. 515 So. Figueroa St., Suite 1970, Los
Angeles CA 90071 and on his counsel, Patrick McClellan, at 2600 Michelson Drive, #700, Irvine,
CA 92612, no less than 14 days prior to the hearing on this Motion. The Court may treat
oppositions not filed and served in accordance with this Notice as a waiver of the right to oppose
the Motion and may grant the relief requested. If you do not oppose the above-described Motion,
you need not take any further action.

Dated: February 25, 2008

LAW OFFICE OF PATRICK K. McCLELLAN

By: 

PATRICK K. McCLELLAN

Attorney for Rosendo Gonzalez, Chapter 7 Trustee